

LAKE COUNTY BOARD OF COUNTY COMMISSIONERS

June 14, 2005

AGENDA

LAND USE PLAN AMENDMENTS

The Lake County Local Planning Agency held a public hearing at 9:00 a.m., on Thursday, May 19, 2005, in the County Commissioners Chambers, 2nd Floor – Round Administration Building, 315 West Main Street, Tavares, Florida, to consider the transmittal of the proposed Land Use Plan Amendments.

The recommendations of the Local Planning Agency are being transmitted to the Board of County Commissioners for their Public Hearing to be held at 9:00 a.m., or soon thereafter, on **Tuesday, June 14, 2005**, in the County Commissioners Chambers, 2nd Floor – Round Administration Building, 315 West Main Street, Tavares, Florida.

BOARD OF COUNTY COMMISSIONERS MEMBERS:

Ms. Jennifer Hill, Chairman	District 1
Mr. Robert A. Pool	District 2
Ms. Debbie Stivender	District 3
Ms. Catherine Hanson, Vice-Chairman	District 4
Mr. Welton G. Cadwell	District 5

LOCAL PLANNING AGENCY MEMBERS

Mr. David Jordan	District 1
Ms. Ann Dupee	District 2
Mr. Michael F. Carey	District 3
Mr. Richard Dunkel	District 4
Ms. Nadine Foley, Vice-Chairman	District 5
Mr. Sean Parks	At-Large Representative
Mr. Keith Schue, Secretary	At-Large Representative
Ms. Barbara Newman, Chairman	At-Large Representative
Ms. Becky Elswick	School Board Representative

COUNTY REPRESENTATIVES

Ms. Cindy Hall, Interim County Manager
Mr. Gregg Welstead, Deputy County Manager / Director, Department of Growth Management
Mr. Sanford A. Minkoff, County Attorney

COMPREHENSIVE PLANNING – GROWTH MANAGEMENT REPRESENTATIVES:

Ms. Amye King, AICP, Planning Manager
Mr. Alfredo Massa, Senior Planner, Comprehensive Planning Division
Ms. Amelyn Regis, Senior Planner, Comprehensive Planning Division
Ms. Shannon Suffron, Senior Planner, Comprehensive Planning Division
Mr. John Maruniak, Transportation Planner, Public Works
Mr. Thomas Wheeler, Comprehensive Planning Intern
Ms. Donna Bohrer, Office Associate III, Planning & Development Services Division
Ms. Mary Harris, Public Hearing Coordinator, Planning & Development Services Division

LOCAL PLANNING AGENCY
May 19, 2005
AND
LAKE COUNTY BOARD OF COUNTY COMMISSIONERS
June 14, 2005

PUBLIC HEARING NO.	PETITIONER	AGENDA NO.	TRACKING NO
LPA#05/4/6-3	Long & Scott Farms, Inc. Cecelia Bonifay, Akerman Senterfitt	1	#6-05-LPA
LPA#04/5/1-4	MerryGro Farms, Inc. Cecelia Bonifay, Akerman Senterfitt	2	#9-05-LPA
LPA#05/4/3-4	Summer Lake-Grace Groves Cecelia Bonifay, Akerman Senterfitt	3	#3-05-LPA
LPA#05/4/1-4	Baucom Real Estate, Ltd Cecelia Bonifay, Akerman Senterfitt	4	#1-05-LPA
LPA#05/4/5-4	Fla Land Partners Cecelia Bonifay, Akerman Senterfitt	5	#4-05-LPA
LPA#05/4/2-4	Ramlee Holdings, Ltd. Cecelia Bonifay, Akerman Senterfitt	6	#2-05-LPA
LPA#05/4/7-2	Mary Eddy & Extreme Groves Investments Steven J. Richey, P.A.	7	#7-05-LPA
LPA#05/4/4-2	Center Lake Properties / Richard Gonzalez Cecelia Bonifay, Akerman Senterfitt	8	#5-05-LPA
LPA#05/4/9-2	Richard Bosserman & Charles Bosserman Cecelia Bonifay, Akerman Senterfitt	9	#8-05-LPA

TRACKING NO.: #6-05-IPA

CASE NO: LPA#05/4/6-3

AGENDA NO: #1

OWNER: Long & Scott Farms, Inc.

APPLICANT: Cecelia Bonifay, Akerman Senterfitt

REQUESTED CLASSIFICATION: CHANGING THE LAND USE DESIGNATION FOR 171.3 ACRES FROM RURAL TO RURAL VILLAGE.

GENERAL LOCATION: LAKE JEM AREA LYING S OF CR 448 AND E'LY OF CR 448A AND ALSO S OF DUDA ROAD IN SECTION 24/25/36 TOWNSHIP 20, RANGE 26

ERRATA

Amendment Number 05/4/6-3

Long & Scott Farms, Inc.

Description of items affected:

Staff requests the following submission from the Lake County Water Resource Management Division be appended to the **Reviewing Agencies** section of the original *Long and Scott Farms 05_4_6_3 Staff_report.doc*:

Lake County Water Resource Management Division

Water Resource Management recommends denial of the proposed amendment for the following reasons:

- The application for this comprehensive plan amendment indicates there are no (-0-) wetlands on the 696+/- acres.

The attached wetlands map, available on GIS, indicates several isolated and non-isolated wetlands on site.

- Exhibit 6 of the comprehensive plan amendment application indicates that "This property has well-drained soils, therefore, no problems with drainage is anticipated."

The Environmental Review provided by the applicant states: "The applicant has supplied information regarding the soils on the subject property. **The analysis indicates that the soils on the major portion of the project site are poorly drained Myakka Sand** that has a layer stained by organic materials and a **water table depth of 10 to 40 inches.**"

- The proposed change from Rural to Rural Village increases potential density from Rural (1/5) to Rural Village (2/1) which is the **maximum density allowed** for the use of septic systems within this area.

Increasing the potential density to the maximum allowable number of units per acre for this area (2/1) in what is known to be poorly drained soils, and allowing the use of septic systems appears to be inconsistent with the purpose and intent of the Resource and Protection Standards LDR 6.15.00.

- It appears that a majority of the site falls within the Lake Apopka Basin Development and Resource Protection Standards area as defined in LDR 6.15.00.

Any new development within the Lake Apopka Basin Development and Resource Protection Standards area must comply with the rules and regulations below.

6.15.00 Lake Apopka Basin Development Design and Resource Protection Standards

6.15.01 Boundaries. The Lake Apopka Basin for purposes of this section Shall be defined as follows: from the Lake County Line, Hartwood Marsh Road west to U.S. Highway 27, north to State Road 50, east to Citrus Tower Boulevard, north to Old Highway 50, east on Old Highway 50 to Turkey Farms Road, north on Turkey Farms Road to Grassy Lake Road, Grassy Lake Road to County Road 561A, west to County Road 561, north on County Road 561 to County Road 48, east on County Road 48 to County Road 448, north to Duda Road, east to the Lake County Line. The Lake County Board of County Commissioners will revise the boundaries when technological advances permit a greater degree of accuracy.

6.15.02 Purpose and Intent.

- A. This section sets forth specific measures for shoreline treatment and development criteria within the Lake Apopka Basin for the purpose of creating uniform protection standards, complying with objectives of the Lake County Comprehensive Plan and for the restoration of Lake Apopka.
- B. The development guidelines incorporated herein are necessary to ensure that all proposed development is consistent with the overall goal to balance economic development and resource protection with sound land management practices.
- C. Every effort Shall be made to improve water quality within Lake Apopka and within the Lake Apopka Basin. This includes use of a required connection to water and sewer lines and closed drainage system for new development, removal of existing nuisance plant species from Lake Apopka, replanting of desirable plant species within Lake Apopka and littoral zones and the location of wet retention ponds along the lakeshore within the littoral zone. Regulatory agencies Shall be encouraged to extend incentives to landowners that voluntarily restore lakefronts.
- D. Public access to Lake Apopka Shall be encouraged.

6.15.03 Permitted Uses within the Lake Apopka Basin.

- A. Non-residential uses. As of the effective date of this section:
1. Rezoning of non-residential uses Shall be limited to agricultural, CP (Planned Commercial) utilizing only those uses allowable under C-1 and C-2 zoning districts, MP (Planned Industrial District), and to CFD (Community Facility District) zoning districts.
 2. Agricultural facilities that contribute to fertilizer runoff Shall be prohibited.
 3. Agricultural practices conducted in accordance with Best Management Practices are not prohibited
- B. *Residential Uses*. As of the effective date of this section:
1. Only single-family residential units may be developed within a one-half (1/2) mile of the lake shoreline.
 2. Multi-family residential may be developed within one-half (1/2) mile of the lake shoreline if developed as a component of a mixed-use development if:
 - a. it is clustered to the landward portion of the property;
 - b. it is no more than two (2) stories in height;
 - c. it has availability of central water and sewer services;
and
 - d. it has a maximum density of four (4) dwelling units per acre but no less than three (3) dwelling units per acre.
 3. Maximum densities for all single-family development and multi-family development as part of a mixed use development Shall be four (4) dwelling units per acre provided it is served by central water and sewer services. Development Shall be limited to single-family residential at two (2) dwelling units per acre if either central sewer or central water services are unavailable.

6.15.04 Resource Protection Standards. As of the effective date of this section:

- A. A fifty (50) foot natural buffer Shall be established upland of wetlands and between any development. This Shall be classified as

a "no-build zone." The "no-build" fifty (50) foot upland natural buffer and associated conservation areas and littoral zone Shall be maintained in native vegetation. No pesticides or fertilizers Shall be used in the no-build zone. All exotic and nuisance species Shall be removed (if applicable) and replaced with native vegetation. However, where the wetlands and water bodies are wholly encompassed within the development parcel as set forth in subsection (C) below, the fifty (50) foot upland natural buffer requirement Shall not apply.

- B. For those areas located on wetlands or water bodies that are developed for the purpose of providing public access, only elevated boardwalks and boat docks extending into the water Shall be permitted to allow public access so as to minimize foot traffic through the environmentally sensitive lakeshore area.
- C. Any riparian owner may physically or mechanically remove herbaceous aquatic plants and semi-woody herbaceous plants such as shrub species and willow, within an area delimited by up to fifty (50) percent or fifty (50) foot of shoreline, whichever is less, as measured along the shoreline and a sufficient length waterward along a line perpendicular to the riparian land owner's shoreline. The length waterward Shall be allowed so as to create a corridor to allow access for a boat or swimmer to reach open water, but Shall not exceed one hundred fifty (150) feet from the shoreline. All unvegetated areas Shall be cumulatively considered when determining the width of the exempted corridor. Vegetation which is removed Shall be properly disposed of and Shall not be left or allowed to accumulate along the shoreline or in the associated waterbody. However, the trees listed in Lake County Land Development Regulations, Chapter 9.01.00, Shall not be removed without complying with that Chapter.
- D. Regardless of whether a riparian land owner is clearing lands pursuant to a state permit or clearing lands exempt from state permitting, if the riparian land owner is clearing lands using mechanical harvesting methods, the riparian land owner Shall give notice to the County Manager or designee prior to beginning work. Notice Shall be given by submitting the prescribed form available from the County Manager or Designee, and Shall include a copy of the state permit, if applicable, and a description of the riparian land owner's proposed clearing plans. Mechanical harvesting does not include hand held devices such as weed-eaters, hoes, shovels, rakes, etc.

6.15.05 Water and Wastewater Standards.

- A. Connection to water and sewer service, where available, is mandatory.
- B. All septic systems Shall be a minimum of one hundred fifty (150) feet from any wetlands or water bodies.
- C. Minimum lot size for utilization of septic systems Shall be one-half (1/2) acre.
- D. Central water and wastewater requirements Shall be required for all subdivisions reviewed through the Planned Unit Development (PUD) or Development of Regional Impact (DRI) process or as deemed appropriate for environmental constraints for all other developments based on average lot size for the proposed development.

6.15.06 Stormwater Standards. All new developments within the Lake Apopka Basin must design their stormwater management to comply with those requirements specified by St. Johns River Water Management District Regulations.

(Ord. No. 2002-42, § 2, 5-7-02)

TRACKING NO.: #9-05-LPA

CASE NO: LPA#04/5/1-4

AGENDA NO: #2

OWNER: MerryGro Farms, Inc.

REPRESENTATIVE: Cecelia Bonifay, Akerman Senterfitt

REQUESTED CLASSIFICATION: CHANGING THE LAND USE DESIGNATION FOR 200 ACRES FROM RURAL TO URBAN EXPANSION.

GENERAL LOCATION: EUSTIS / EAST LAKE COUNTY AREA LYING SOUTHWEST OF THE INTERSECTIONS OF SR 44 AND CARDINAL LANE IN SECTIONS 11 AND 14 TOWNSHIP 19, RANGE 27.

ERRATA

Amendment Number 04/5/1-4

MerryGro Farms, Inc.

Description of items affected:

Staff requests the following submission from the Lake County Department of Public works be appended to the **Reviewing Agencies** section of the original MerryGro Farms 04_5_1-4_Staff_Report.doc:

Lake County Department of Public Works

Public Works states that the traffic analysis indicates there is adequate capacity on SR 44 and other roads within a 2-mile radius to accommodate traffic generated by up to 720 residential lots on this site. The assessment does not factor in additional impacts that could result from any other land use amendments requested within this same traffic impact area.

TRACKING NO.: #3-05-LPA

CASE NO: LPA#05/4/3-4

AGENDA NO: #3

OWNER: Summer Lake-Grace Groves

APPLICANT: Cecelia Bonifay, Akerman Senterfitt

REQUESTED CLASSIFICATION: CHANGING THE LAND USE DESIGNATION FOR 171.3 ACRES FROM SUBURAN TO URBAN EXPANSION.

GENERAL LOCATION: SORRENTO AREA APPROXIMATELY 1/2 MILE S OF SR 46, LYING E'LY OF ROUND LAKE ROAD AND N OF THE ORANGE COUNTY/LAKE COUNTY LINE IN SECTION 35 TOWNSHIP 19, RANGE 27.

ERRATA

Amendment Number 05/4/3-4

Summer Lake-Grace Groves

Description of items affected:

Staff requests the following submission from the Lake County Department of Public works be appended to the **Reviewing Agencies** section of the original Summer Lake-Grace Groves, LLC 05_4_3-4_Staff_Report.doc:

Lake County Public Works Department

Public Works states that access to this site currently exists via an undeveloped easement along the Orange County line. We agree with the consultant's analysis showing adequate capacity on Round Lake Road to accommodate trips generated by up to 784 residential units.

TRACKING NO.: #1-05-LPA

CASE NO: LPA#05/4/1-4

AGENDA NO: #4

OWNER: Baucom Real Estate, Inc.

APPLICANT: Cecelia Bonifay, Akerman Senterfitt

REQUESTED CLASSIFICATION: CHANGING THE LAND USE DESIGNATION FOR 153 ACRES FROM SUBURBAN AND SUBURBAN TO URBAN EXPANSION.

GENERAL LOCATION: , MOUNT DORA AREA LYING NORTH OF WOLF BRANCH ROAD AND NILES SUBDIVISION AND E OF BRITT ROADFOR PROPERTY IN SECTION 22 TOWNSHIP 19, RANGE 27.

<p style="text-align: center;">ERRATA Amendment Number 05/4/1-4 Baucom Real Estate Limited Partnership</p>

Description of items affected:

Staff requests the following submission from the Lake County Department of Public works be appended to the **Reviewing Agencies** section of the original Baucom Real Estate Limited Partnership 05_4_1-4_Staff_Report.doc:

Lake County Department of Public Works

Public works states that this site is adjacent to the Mount Dora corporate limits. They agree with the consultant's conclusion that there is adequate capacity on both Britt Road and Wolf Branch Road to accommodate up to 616 residential lots proposed for this site.

TRACKING NO.: #4-05-LPA

CASE NO: LPA#05/4/5-4

AGENDA NO: #5

OWNER(S): Fla Land Partners

APPLICANT: Cecelia Bonifay, Akerman Senterfitt

REQUESTED CLASSIFICATION: CHANGING THE LAND USE DESIGNATION FOR 31.40 ACRES FROM RURAL TO URBAN EXPANSION.

GENERAL LOCATION: EAST LAKE COUNTY AREA – PROPERTY LOCATED N OF SR 44, W OF CR 437 AND E OF CR 439; SECTION 01 TOWNSHIP 19, RANGE 27

ERRATA

Amendment Number 05/4/5-4

FL Land Partners LLC

Description of items affected:

Staff requests the following submission from the Lake County Department of Public works be appended to the **Reviewing Agencies** section of the original Florida Land Partners, LLC 05_4_5-4_Staff_Report.doc:

Lake County Department of Public Works

Public Works states that there is adequate capacity availability on SR 44 to accommodate trips generated by the proposed land use change. This assessment does not factor in additional impacts that could result from other requested land use amendments within this same impact area.

TRACKING NO.: #2-05-LPA

CASE NO: LPA#05/4/2-4

AGENDA NO: #6

OWNER: Ramlee Holdings, Ltd.

REPRESENTATIVE: Cecelia Bonifay, Akerman Senterfitt

REQUESTED CLASSIFICATION: CHANGING THE LAND USE DESIGNATION FOR 61.4 ACRES FROM SUBURBAN TO URBAN EXPANSION.

GENERAL LOCATION: GENERALLY LOCATED IN SORRENTO AREA – PROPERTY LYING AT THE NE CORNER OF SR 46 AND ROUND LAKE ROAD; SECTION 26 TOWNSHIP 19, RANGE 27

ERRATA

Amendment Number 05/4/2-4

Ramlee Holdings Limited Partnership

Description of items affected:

Staff requests the following submission from the Lake County Department of Public works be appended to the **Reviewing Agencies** section of the original Ramlee Holdings Limited Partnership 05_4_2-4_Staff_Report.doc:

Lake County Department of Public Works

Public Works noted that the consultant's analysis indicates that developing up to 500,000 square feet of industrial/office uses on this site will generate enough trips to place SR 46 very near its adopted LOS capacity. We agree with the analysis results showing adequate capacity exists on Round Lake Road to accommodate the proposed land use change. This assessment does not factor in additional impacts that could result from any other land use amendments requested within this same traffic area.

TRACKING NO.: #7-05-LPA

CASE NO: LPA#05/4/7-2

AGENDA NO: #7

OWNER: Mary Eddy / Extreme Groves Investments

APPLICANT: Steven J. Richey, P.A.

REQUESTED CLASSIFICATION: CHANGING THE LAND USE DESIGNATION FOR 216 ACRES FROM RURAL TO URBAN EXPANSION.

GENERAL LOCATION: CLERMONT AREA - FROM THE INTERSECTION OF HANCOCK RD AND HARTWOOD MARSH RD, PROCEED E'LY ALONG HARTWOOD MARSH ROAD APPROXIMATELY 3 MILES TO PROPERTY ON THE NORTH SIDE OF THE ROAD, JUST N OF AVALON ESTATES SUBDIVISION; SECTION 01 TOWNSHIP 23, RANGE 26

ERRATA

Amendment Number 05/4/7-2

Mary B. Eddy and Extreme Groves Investments, LLC

Description of items Affected:

Staff requests the following submission from the Lake County Department of Public Works be appended to the Reviewing Agencies section of the original Mary B. Eddy and Extreme Groves Investments, LLC (Amendment #05/4/7-2).

Lake County Department of Public Works

A revised traffic study was submitted proposing land use to support 216 single family dwelling units on 216 acres. There is adequate capacity on the existing 2-lane Hartwood Marsh Road to accommodate the additional trips generated by the proposed land use change.

TRACKING NO.: #5-05-LPA

CASE NO: LPA#05/4/4-2

AGENDA NO: #8

OWNER: Center Lake Properties / Richard Gonzalez

APPLICANT: Cecelia Bonifay, Akerman Senterfitt

REQUESTED CLASSIFICATION: CHANGING THE LAND USE DESIGNATION FOR 570.90 ACRES FROM SUBURAN TO URBAN EXPANSION.

GENERAL LOCATION: CLERMONT AREA LOCATED S OF FOSGATE ROAD, W OF BLACKSTILL LAKE RD, N OF SR 50 AND SW'LY OF THE FLORIDA TURNPIKE; SECTIONS 09/10/15/16 TOWNSHIP 22, RANGE 26E

<p style="text-align: center;">ERRATA Amendment Number 05/4/4-2 Richard L. Gonzalez/ Center Lake Properties, Ltd</p>

Description of Items Affected:

Staff requests the following submission from the Lake County Department of Public Works be appended to the Reviewing Agencies section of the original Richard L. Gonzalez/ Center Lake Properties, Ltd (Case # 05/4/4-2) Staff Report document.

Lake County Department of Public Works

The traffic assessment submitted by the consultant for this land use change concludes that though there are anticipated traffic impacts attributable to this proposal, there are mitigation strategies in place to satisfactorily address any project impacts. Public Works staff agrees with this assessment.

TRACKING NO.: #8-05-LPA

CASE NO: LPA#05/4/9-2

AGENDA NO: #9

OWNER: Richard Bosserman / Charles Bosserman

REPRESENTATIVE: Cecelia Bonifay, Akerman Senterfitt

REQUESTED CLASSIFICATION: CHANGING THE LAND USE DESIGNATION FOR 72 ACRES FROM EMPLOYMENT CENTER AND URBAN TO URBAN.

GENERAL LOCATION: GENERALLY LOCATED IN CLERMONT AREA LYING S OF SR 50 AND JUST E'LY OF THE INTERSECTION OF HANCOCK ROAD AND SR 50. SECTION 27 TOWNSHIP 22, RANGE 26E